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HUMAN RESOURCES

PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS: FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS

Special representatives, envoys and related positions

Report of the Secretary-General

1. In its resolution 50/219 of 3 April 1996, the General Assembly took note of the report of the Secretary-General on special representatives, envoys and related positions (A/C.5/49/50) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/50/7/Add.2) and endorsed the conclusions and recommendations of the Advisory Committee as contained in its report.

2. The General Assembly also reiterated that the number of special envoys, special representatives and other special high-level positions should be kept at a minimum, that their functions and responsibilities should be more clearly defined and streamlined, avoiding any possible duplication, and that current financial regulations and budgetary procedures should be fully complied with, and requested the Secretary-General to report on the action he has taken in that regard to the General Assembly at its resumed fiftieth session.

3. The Advisory Committee, in its report, requested the Secretary-General to clarify the position of special representatives and envoys appointed on a "when actually employed" basis, on special service agreement, on a one United States dollar-a-year honorarium, or with no remuneration, and to submit to the Assembly special guidelines as would need to be applied. A draft guideline governing the use of "when actually employed" contracts was provided to the Advisory Committee

during its review of this item. The text has been finalized and is being issued as a Secretary-General's bulletin, the text of which appears as annex I to the present report.

4. The list of the current special representatives, envoys and related positions in the Secretariat is attached as annex II. For comparison purposes, the list is provided in the same format as the two previous reports, that is, grouped into three categories as follows:

A. Special representatives and other high-level positions in peace-keeping or observer missions authorized by the Security Council;

B. Envoys and other representatives appointed to assist the Secretary-General in the exercise of his good offices and related functions;

C. Other special high-level positions, including special advisers to the Secretary-General.

5. As at 31 July 1996, the number of these officials totalled 32 in the three categories as follows:

Category A: Five Under-Secretaries-General and 11 Assistant Secretaries-General;

Category B: Eight Under-Secretaries-General, one Assistant Secretary-General and two Directors (D-2);

Category C: Four Under-Secretaries-General and one Assistant Secretary-General.

6. In reviewing the previous two reports on this item (A/C.5/48/26 of 15 November 1993 and A/C.5/49/50 of 8 December 1994), the total number of appointments as at 31 July 1996 has decreased from a high of 44 in 1994 to 32 as at 31 July 1996. This lower figure is attributable for the most part to the decreasing number of peace-keeping missions. The other two categories have remained about the same. In this connection, it should be recalled that in the early 1990s in response to a dramatic increase in intrastate and inter-State disputes and conflicts, the Secretary-General had to resort more frequently to special representatives and envoys to help stabilize unsettled situations which had been referred to the United Nations. The historical breakdown since 1991 of categories A, B and C is shown in annex III.

7. Positions under category A (special representatives in peace-keeping operations) are approved by the General Assembly on the recommendation of the Advisory Committee.

8. Those in category B (special envoys) are appointed by the Secretary-General for varying durations, but normally for a limited period. The peacemaking, fact-finding and other special political missions entrusted to these envoys are undertaken on an ad hoc basis and are decided upon by the Secretary-General either at his own initiative or following a mandate from the relevant intergovernmental body. The Secretary-General routinely informs the Security

Council, and when appropriate the General Assembly, of the appointment of such envoys and representatives. These positions are funded through the procedures established for unforeseen and extraordinary expenditures through the relevant General Assembly resolution. In addition, actual requirements in respect of these activities relating to the maintenance of peace and security are reported to the General Assembly in the context of the annual performance reports on the biennial programme budgets. For the year 1995, the costs of these special positions included in the final performance report for that biennium amounted to some $1,297,000.

9. As discussed in a previous report on the subject (A/C.5/48/26), the relevant proposals of the Secretary-General have been explicitly supported by decisions of the General Assembly, namely resolution 47/120 of 18 December 1992 and a statement by the President of the Security Council (S/24872). In section III of resolution 47/120, the General Assembly recommended that the Secretary-General continue to utilize the services of eminent and qualified experts in fact-finding and other missions, selected on as wide a geographical basis as possible, taking into account candidates with the highest standards of efficiency, competence and integrity, as mandated by the Charter of the United Nations. It further invited Member States to submit names of suitable individuals whom the Secretary-General might wish to use at his discretion in fact-finding and other missions. The President of the Security Council, in his statement, urged the Secretary-General to take appropriate measures to ensure the availability at short notice of eminent persons who might share, with senior officials of the Secretariat, the burden of fact-finding missions.

10. The rank accorded by the Secretary-General to these envoys is determined by the level of political and managerial responsibilities entrusted to them, as well as the scope and complexity of the mandate. Consideration is also given to the rank and level of responsibilities of the appointee prior to joining or within the Organization. Whether or not the appointee is given a fixed-term, a "when actually employed" or a "$1-a-year appointment" is also determined by the appointee's work status at the time of engagement.

11. "When actually employed" appointments have traditionally been used in the Organization when normal appointments under the 100, 200 or 300 series of the Staff Rules did not provide sufficient flexibility for a particular job, or would not confer the necessary international status. They are regarded as a more economical and efficient way of contracting for work of an intermittent or non-continuous nature, or for providing appropriate conditions of service for short periods for high-level consultants who might have other governmental positions to which they have to return from time to time. There has been, in recent years, a greater use of "when actually employed" contracts.

12. The third category (other special high-level positions) consists of a small number of highly experienced officials who are appointed either against the regular budget, extrabudgetary funds or the peace-keeping support account. The number of these officials has basically remained the same.

13. As recommended by the Advisory Committee in paragraph 14 of its report, and in order to ensure greater transparency in the budgetary process, it is the intention of the Secretary-General to reflect in the budgetary staffing tables

all positions that are for continuing functions. The Secretary-General accepts the Advisory Committee's recommendations that positions that are required for the performance of functions of a continuous nature in the work of the United Nations should be budgeted in the United Nations regular budget for review and approval by the General Assembly, through the Advisory Committee.

14. With regard to the concerns expressed by the Advisory Committee in paragraph 12 of its report, and in connection with one high-level position financed from funds appropriated for general temporary assistance, the General Assembly, in its resolution 50/216 of 23 December 1995, approved the establishment of a temporary post at the Under-Secretary-General level to accommodate the appointment of the special adviser for the biennium 1996-1997.

15. In connection with the Advisory Committee's statement in paragraph 15 of its report that the special adviser to the Secretary-General continued to be financed from general temporary assistance funds under the support account, it should be noted that as of 1 January 1996, a temporary post was established under the peace-keeping support account for the special adviser.

ANNEX I

SECRETARY-GENERAL'S BULLETIN

To: Members of the staff

Subject: USE OF "WHEN ACTUALLY EMPLOYED" CONTRACTS FOR SPECIAL REPRESENTATIVES, ENVOYS AND OTHER SPECIAL HIGH-LEVEL POSITIONS*

I. GENERAL PROVISIONS

1. The present bulletin is promulgated pursuant to staff regulation 4.1.

2. A "when actually employed" (WAE) contract for special representatives, envoys and other special high-level positions is an agreement between the Organization and an individual, by which the Organization retains the services of the individual when there is a need:

(a) For work of an intermittent or discontinuous nature;

(b) For assignments whose duration is uncertain, or whose timing is not clearly identifiable in advance;

(c) To ensure the availability at short notice of persons with special skills required by the Organization.

WAE contracts are to be used only when standard appointments under the 100, 200 or 300 series of the Staff Rules, or when a standard special service agreement (SSA) would not be appropriate, for example, in peace-keeping operations or for special assignments for the Secretary-General.

3. WAE contracts should normally be issued for a period of six months at a time, and should specify that the maximum number of days that may be worked in a given six-month period should not exceed four and one half months. Subsequent WAE contracts may be issued, subject to an overall limit of nine months actually employed in any 12-month period. Exceptions must be specially authorized by the Assistant Secretary-General for Human Resources Management.

4. The holder of a WAE contract must be notified in writing of the days during which his or her services will be required, and his or her acceptance must be in writing. In cases of extreme urgency, this may be done on a post facto basis.

5. Holders of WAE contracts who are authorized to travel at United Nations expense, or who are requested to perform services on behalf of the Organization, shall be entitled to compensation in the event of injury, illness or death attributable to the performance of duties on behalf of the United Nations.

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* Personnel Manual index No. 4145.

Compensation claims will be governed by the terms of appendix D/Rev.1 and Amend.1 to the Staff Rules, wherein the words "final pensionable remuneration" shall be construed as the net annual remuneration that would have been received had the individual worked on a full-time basis. The period of coverage under appendix D/Rev.1 and Amend.1 shall be that specified under paragraph 4 above.

II. WAE CONTRACTS AS SHORT-TERM APPOINTMENTS UNDER THE 300 SERIES OF THE STAFF RULES

Level and salary of appointment

6. The letter of appointment shall specify the level of the appointment. Salaries must be stated in both net and gross terms, using the salary scales appropriate to the level of the appointment and shall be stated as daily rates representing 1/365th of the annual scale.

Other conditions of service

7. WAE appointments do not attract annual, special or sick leave and carry no entitlement to dependency or other benefits or allowances, except as provided in the present bulletin.

8. Where appropriate, representation allowance may be paid on a pro rata basis.

9. Daily subsistence or mission subsistence allowances are payable, where appropriate, in respect of days actually worked under a WAE appointment, and in respect of weekends and public holidays falling within a continuous period of employment.

10. The letter of appointment must explicitly state that the appointee is excluded from participation in the United Nations Joint Staff Pension Fund.

11. Individuals who are subject to staff assessment and to national taxation on the income generated by a 300 series WAE appointment shall be entitled to tax reimbursement thereon.

Status

12. The oath of office pursuant to staff regulation 1.9 shall be attached to the letter of appointment for signature by the holder of a WAE letter of appointment. The letter of appointment shall state that the holder has the status of a staff member of the United Nations only when actually employed by the United Nations and, as a staff member, he or she is subject to the United Nations Staff Regulations and Rules during the days of his or her service. During the days the individual is not serving the United Nations, he or she shall continue to exercise utmost discretion in all matters concerning the Organization. He or she shall not communicate at any time to any other person, Government or authority external to the United Nations any information known to him or her by reason of his or her association with the United Nations which has not been made public, except in the course of his or her duties or by

authorization of the Secretary-General or his designate, nor shall he or she at any time use such information to private advantage, or act in such way to misrepresent or mislead the public on his or her status, nor use his or her connection with the Organization for personal gain.

III. WAE CONTRACTS ON SPECIAL SERVICE AGREEMENTS

13. Except as explained below, WAE contracts on special service agreements will be governed by the contractual provisions set out in the contract document, including those on the reverse of that document, and the provisions of administrative instruction ST/AI/295 and Amend.1.

Status

14. A WAE SSA shall explicitly state that the holder has the status of an expert on mission only when actually employed by the United Nations. The SSA shall state that the holder has the status of an expert on mission only for the days actually employed by the United Nations, and during those days, the individual is subject to the "conditions of service", which are provided for in the reverse of the SSA document. The holder of a WAE SSA shall continue to exercise utmost discretion in all matters concerning the Organization at all times, including the days when the individual is not performing services for the United Nations. He or she shall not communicate at any time to any other person, Government or authority external to the United Nations any information known to him or her by reason of his or her association with the United Nations which has not been made public, except in the course of his or her duties or by authorization of the Secretary-General or his designate, nor shall he or she at any time use such information to private advantage, or act in such way to misrepresent or mislead the public of his or her status, nor use his or her association with the Organization for personal gain.

Taxes

15. The WAE SSA shall explicitly state that the holder is responsible for payment of taxes on emoluments paid by the Organization.

Boutros BOUTROS-GHALI
Secretary-General

ANNEX II

Special representatives, envoys and related positions in the United Nations Secretariat

(As at 31 July 1996)

Title	Name	Funding source	Contractual status
A. Special representatives and other high-level positions in peace-keeping or observer missions authorized by the Security Council			
Under-Secretary-General level			
Special Representative of the Secretary-General for Angola (UNAVEM)	Alioune B. Beye	Peace-keeping support account	Fixed-term
Special Representative of the Secretary-General for Cyprus (UNFICYP)	Sung Joo Han	Peace-keeping support account	"When actually employed"
Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES)	Jacques Klein	Peace-keeping support account	Fixed-term
Special Representative of the Secretary-General for Haiti and Chief of Mission (UNMIH)	Enrique Ter Horst	Peace-keeping support account	Fixed-term
Special Representative of the Secretary-General for Liberia (UNOMIL)	Anthony Nyakyi	Peace-keeping support account	Fixed-term
Total Under-Secretaries-General: 5			
Assistant Secretary-General level			
Special Representative of the Secretary-General and Coordinator of the United Nations Operations in Bosnia and Herzegovina (UNMIBH)	Iqbal Riza	Peace-keeping support account	Fixed-term
Force Commander, United Nations Iraq-Kuwait Observation Mission (UNIKOM)	Gian Guiseppe Santillo	Peace-keeping support account	Fixed-term
Force Commander, United Nations Disengagement Observer Force (UNDOF)	Johannes Kosters	Peace-keeping support account	Fixed-term
Force Commander, United Nations Interim Force in Liberia (UNIFIL)	Stanislaw Wozniak	Peace-keeping support account	Fixed-term
Deputy Special Representative of the Secretary-General in Cyprus (UNFICYP)	Gustave Feissel	Peace-keeping support account	Fixed-term
Acting Special Representative of the Secretary-General for Western Sahara and Chairman of Identification Commission (MINURSO)	Erik Jensen	Peace-keeping support account	Fixed-term

Title	Name	Funding source	Contractual status
Special Representative of the Secretary-General, United Nations Preventive Deployment Force in the former Yugoslav Republic of Macedonia (UNPREDEP)	Henryk Sokalski	Peace-keeping support account	Fixed-term
Deputy Special Representative of the Secretary-General for Angola (UNAVEM III)	Khalid Yassir	Peace-keeping support account	Fixed-term
Force Commander, United Nations Angola Verification Mission (UNAVEM III)	Phillip V. Sibanda	Peace-keeping support account	Fixed-term
Force Commander, United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES)	Josef Schoups	Peace-keeping support account	Fixed-term
Special Representative of the Secretary-General for Tajikistan (UNMOT)	Gerd Dietrick Merrem	Peace-keeping support account	Fixed-term
Total Assistant Secretaries-General: 11			
B. Envoys and other representatives appointed to assist the Secretary-General in exercise of his good offices and related functions			
Under-Secretary-General level			
Head of Special Mission to Afghanistan	Norbert Holl	Regular budget	Fixed-term
Special Coordinator of the Secretary-General in the Occupied Territories	Terje R. Larsen	Regular budget	Fixed-term
Special Envoy of the Secretary-General for Georgia	Edouard Brunner	Regular budget a/	"When actually employed"
Special Envoy of the Secretary-General for Greece and the former Yugoslav Republic of Macedonia	Cyrus Vance	Regular budget a/	Travel expenses only
Special Envoy of the Secretary-General for Humanitarian Affairs in the Sudan	Vieri Traxler	Extrabudgetary funds a/	$1 a year
Personal Representative of the Secretary-General for the controversy between Guyana and Venezuela	Alistair McIntyre	Regular budget a/	"When actually employed"
Under-Secretary-General for special assignments in support of the Secretary-General's preventive and peace-making efforts	Lakhdar Brahimi	Regular budget a/	"When actually employed"
Special Envoy of the Secretary-General on Women and Development	Gertrude Mongella	Extrabudgetary funds	"When actually employed"
Total Under-Secretaries-General: 8			

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Title	Name	Funding source	Contractual status
Assistant Secretary-General level			
Special Representative of the Secretary-General for Burundi	Marc Faguy	Regular budget	Fixed-term
Total Assistant Secretaries-General: 1			
Director (D-2) level			
Special Representative of the Secretary-General in Cambodia	Benny Widyono	Regular budget a/	Fixed-term
Special Envoy of the Secretary-General for Sierra Leone	Berhanu Dinka	Regular budget a/	Fixed-term
Total D-2 level: 2			
C. Other special high-level positions			
Under-Secretary-General level			
Special Adviser to the Secretary-General	Ismat Kittani	Regular budget	Fixed-term
Special Adviser to the Secretary-General	Chinmaya Gharekhan	Peace-keeping support account	Fixed-term
Special Adviser to the Secretary-General for Public Policy	Gillian Martin Sorensen	Extrabudgetary funds	"When actually employed"
Special Representative of the Secretary-General for Public Affairs	Joseph V. Reed	-	$1 a year
Total Under-Secretaries-General: 4			
Assistant Secretary-General level			
Special Adviser on communications	John Hughes	Extrabudgetary funds	"When actually employed"
Total Assistant Secretaries-General: 1			

a/ General Assembly resolution 50/217 on unforeseen and extraordinary expenses.

ANNEX III

Breakdown of appointments in categories A (special representatives in peace-keeping operations), B (special envoys) and C (other special high-level positions)

1991

(Derived from information found in document A/C.5/49/50, as at mid-1991)

Category A:	2 Under-Secretaries-General	All fixed-term appointments/ peace-keeping support account
	9 Assistant Secretaries-General	All fixed-term appointments/ peace-keeping support account
Category B:	3 Under-Secretaries-General	1 fixed-term appointment 2 "When actually employed" basis
	2 Assistant Secretaries-General	1 fixed-term appointment
Category C:	1 Under-Secretary-General	1 permanent appointment/regular budget 1 fixed-term appointment/ extrabudgetary funds

Total 18

1993

(Based on information from document A/C.5/48/26, as at 30 September 1993)

Category A:	6 Under-Secretaries-General	All fixed-term appointments/ peace-keeping support account
	16 Assistant Secretaries-General	All fixed-term appointments, all but 1 peace-keeping support account
Category B:	10 Under-Secretaries-General	5 fixed-term appointments, under unforeseen expenditures 2 under reimbursement for travel expenses 1 on $1-a-year basis 1 on special service agreement basis 1 on "when actually employed" basis

	3	Assistant Secretaries-General	1 fixed-term appointment, under unforeseen expenditures 2 fixed-term appointments/ extrabudgetary funds
Category C:	4	Under-Secretaries-General	2 fixed-term appointments/ regular budget 1 fixed-term appointment, extrabudgetary funds 1 on $1-a-year basis
Total	39		

1994

(Based on information from document A/C.5/49/50, as at 31 December 1994)

Category A:	8	Under-Secretaries-General	All fixed-term appointments/ peace-keeping support account
	15	Assistant Secretaries-General	All fixed-term appointments/ peace-keeping support account
Category B:	12	Under-Secretaries-General	5 fixed-term appointments/ regular budget, under unforeseen expenditures 5 fixed-term appointments/regular budget 2 fixed-term appointments/ extrabudgetary funds
	3	Assistant Secretaries-General	1 fixed-term appointment, under unforeseen expenditures 1 fixed-term appointment/regular budget 1 fixed-term appointment/ extrabudgetary funds
	1	D-2	1 fixed-term appointment/regular budget
Category C:	4	Under-Secretaries-General	1 fixed-term appointment, under unforeseen expenditures 1 fixed-term appointment/peace-keeping budget 2 fixed-term appointments/regular budget
	1	D-2	1 on general temporary assistance regular budget
Total	44		

1996

(Based on information from document A/C.5/50/72 as at 31 July 1996)

Category A:	5 Under-Secretaries-General	4 fixed-term appointments/1 on "when actually employed" basis/all peace-keeping support account
	11 Assistant Secretaries-General	All fixed-term appointments/ peace-keeping budget
Category B:	8 Under-Secretaries-General	2 fixed-term appointments/regular budget 3 on "when actually employed" basis/regular budget 1 on "when actually employed" basis/extrabudgetary funds 1 on $1-a-year basis/regular budget 1 on travel expenses only/regular budget
	1 Assistant Secretary-General	1 fixed-term appointment/regular budget
	2 D-2	2 fixed-term appointments/regular budget
Category C:	4 Under-Secretaries-General	2 fixed-term appointments/1 regular budget/1 peace-keeping support account 1 on "when actually employed" basis/extrabudgetary funds 1 on $1-a-year basis
	1 Assistant Secretary-General	1 on "when actually employed" basis/extrabudgetary funds
Total	32	